

† Sri Y. RAMAKRISHNA (Minister for Health).—Sir, Sri Koragappa of Vamanjur village was first admitted to the Government Wenlock Hospital, Mangalore as an inpatient on 5th November 1969 and he was treated for 'Cirrhosis of liver due to chronic alcoholism'. He was discharged on 27th January 1970. He was treated by Dr. M. K. Pai, Honorary Medical Officer. Again, on 10th February 1970 at about 11-30 A.M. he was brought to the Hospital for admission, when Dr. M. V. Chari, Hon. Medical Officer was in charge of the out-patient Department. It appears that in order to ensure better treatment, the above doctor asked the patient to see Dr. M. K. Pai who treated the case formerly. Dr. S. B. Yelaburgi who is attached to Dr. M. K. Pai's Unit, immediately examined the patient, admitted him and despatched the patient along with Dr. Ontigodi, House Surgeon with instructions to start the treatment in the ward. While being transported to the ward, the patient died on the way at about 12 noon.

Since the patient was suffering from a chronic disease and he was treated for about 3 months from November 1969, nothing more could be expected to be done in this case and all possible efforts were made by the doctors to treat the patient. It is evident that the patient was not neglected.

Mr. SPEAKER.—Next item is presentation of petitions.

Question of Privilege against the Minister for Law, Labour and Parliamentary Affairs re: Replies given to clarification of a Calling attention notice re: Lathi Charge and arrest of two members of Policemen at Gulbarga on 24th February 1970

Sri H. M. CHANNABASAPPA (Periyapatna).—Sir, before you proceed to next item, I would like to draw your kind attention to the two notices of privilege motions I have given.

Mr. SPEAKER.—With respect to one of the privilege motions the hon. member might have received my communication wherein I have requested him to produce the documents. Under the rules if the privilege motion is based upon documents, it is necessary that those documents should also be produced. If the hon. Member produces those documents I will consider the matter.

Sri H. M. CHANNABASAPPA.—I will produce those documents to-day itself. Then what about the other privilege motion I haven given notice of?

2-30 P.M.

MR. SPEAKER.—Hon. Member Sri Channabasappa has given notice of a privilege motion which reads thus :

“ I should like to move a motion of breach of Privilege. The Hon’ble Minister for Parliamentary Affairs stated in the beginning that the District Magistrate has permitted the meeting to take place inside the town hall building. I specifically asked him, whether it was inside the town hall building or within the premises. He said that it was in the town hall building. When the Minister read out the copy of the licence given by the District Magistrate, he stated that permission was given to hold the meeting within the town-hall building premises”.

Therefore the Hon’ble Minister has deliberately misled the House and has committed a breach of privilege and this matter will have to be enquired into.”

The point to be decided is whether the statement ‘inside the building’ is inconsistent with the wording ‘inside the building premises’.

I shall read out the order of the District Magistrate on which the whole thing is based :

“ With reference to his application dated 13th February 1970 Sri Dharma Rao, Chairman, D.C.C. *ad hoc* committee, Gulbarga, is granted permission for having a workers’ meeting on 16th February 1970 on the following conditions :

“ During the pendency of the imposition of the ban as per section 25 of the Mysore Police Act, the meeting shall be held from 4 to 9 P.M. inside the premises of the town-hall building.”

“ There shall be no operation of loud-speakers or amplifiers which is audible beyond the limits of the building.

I, Pratap Singh, do hereby order relaxation of the provisions of section 25 within the limits of town-hall building only to the above extent for holding the meeting there from 4 to 9 P.M. on 16th February 1970 in the limits of the town-hall building situated in the Municipal Gardens”

Here is the notification issued by the District Magistrate in which both the expressions are used. What Exactly is to be understood by the expression ‘townhall building premises’ is explained in the last para. Both expressions ‘Town Hall building’ and ‘Town Hall building premises’ seem to be identical words according to the order passed by the District Magistrate. The words seem to be loosely used.

SRI K. H. PATIL (Hubli).—Mr. Speaker may sit down to enable me to raise a point of order.

Mr. SPEAKER.—It is not proper for the Hon'ble Member to ask the Chair to sit down. He must wait till I sit down.

I shall complete my ruling by saying that I find no discrepancy between the two sets of words and it cannot be the basis for a privilege motion unless there is specific and positive *prima facie* evidence to show that the Minister wanted to mislead the House and for that purpose, he has made deliberately a false statement.

I do not find any distinction between 'town hall building' and 'town hall building premises' as explained by the order itself. I therefore hold that there is no *prima facie* case of breach of privilege. I therefore cannot give my consent.

Sri H. M. CHANNABASAPPA.—I do not question your ruling, Sir. I only submit that the matter of interpretation of law is the duty of the judiciary and the Speaker can give his ruling based on facts presented.

Mr. SPEAKER.—I must say I do not find any *prima facie* case.

Sri K. H. PATIL.—Whenever a ruling is to be given particularly ruling on a point of order, the Speaker raises his hand on the side of the Indira Gandhi Group and thereby he curtails the right of the member. There is no rule wherein the Speaker shall always raise his hand and curtail the rights of Members. Therefore, I am requesting you to point out the rule under which you can stand while giving the ruling because this will certainly curtail our rights, Sir.

Sri M. S. KRISHNAN.—I want to ask the Speaker whether there is any group recognised in this House as 'Indira Gandhi Group'.

Sri K. H. PATIL.—I correct myself as Congress (R).

Mr. SPEAKER.—I do not know whether he has fully studied the Rules. There are several rules. Rule 298 is an instance in point. There is no point of order.

Presentation of Petitions

Mr. SPEAKER.—Sri Kalmankar to present a petition.

The Member is absent. Now Sri V. N. Patil to present a petition.

Sri V. N. PATIL (Humnabad).—With the permission of Chair, I beg to present the petition sent by Sri Chokkalingam, the General Secretary of the T.B.P. work charged Establishment, Munirabad.

I also present another petition from Sri M. C. Mulgund of the Work Charged Employees, Mysore P.W.D., Belgaum.

This petition pertains to more than 10,000 people and with the permission of the House I would like to read, Sir.